

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

GLOBAL WEATHER PRODUCTIONS,
LLC,

Plaintiff,

vs.

JOE PAGS MEDIA, LLC,

Defendant.

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SA-23-CV-01350-JKP

SHOW CAUSE ORDER

Before the Court is the above-styled cause of action. The record reflects that Plaintiff executed service of process on Defendant on January 18, 2024, and a return of service was filed with the Court [#7]. Defendant's answer was therefore due on February 8, 2024, per Rule 12(a) of the Federal Rules of Civil Procedure. Defendant failed to respond within the time prescribed by Rule 12. Rule 55 of the Federal Rules of Civil Procedure governs the process of securing a clerk's entry of default and final default judgment against a party who has failed to plead or otherwise defend an action. Invoking Rule 55, Plaintiff filed a motion for a clerk's entry of default on March 5, 2024, which the Clerk entered [#9]. No further action has been taken in this case since that time, and Plaintiff has not yet filed a motion for final default judgment.

It is Plaintiff's responsibility to prosecute this case in light of Defendant's failure to respond to the Complaint and Summons by pursuing a default judgment. The Court may dismiss an action for failure to prosecute. Fed. R. Civ. P. 41(b). Plaintiff should therefore diligently pursue default or show cause why moving for default is not appropriate at this time. If Plaintiff

no longer intends to pursue its claims against Defendant, Plaintiff may voluntarily dismiss this case pursuant to Rule 41(a).

IT IS THEREFORE ORDERED that Plaintiff file a motion for default judgment or show cause why it declines to do so on or before **May 10, 2024**. A failure to do so could result in dismissal of this case for want of prosecution.

SIGNED this 1st day of May, 2024.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE